

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
GREENSBORO DIVISION  
CIVIL ACTION NO: 1:10CV568**

**IHFC PROPERTIES, LLC,**

**Plaintiff,**

**vs.**

**APA MARKETING, INC., and  
WHALEN FURNITURE  
MANUFACTURING, INC.,**

**Defendants.**

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) **NOTICE OF APPEAL**  
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Notice is hereby given that Whalen Furniture Manufacturing, Inc., defendant in the above named case, hereby appeals to the United States Court of Appeals for the Fourth Circuit from the Memorandum Opinion and Order [Doc. 56], and final Judgment [Doc. 57] entered in this action on the 14<sup>th</sup> day of January, 2014, and as clarified by the Order denying Whalen Furniture Manufacturing, Inc.'s Motion to Alter Judgment [Doc. 65], entered on April 22, 2014.

Respectfully submitted this the 21<sup>st</sup> day of May, 2014.

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### **CERTIFICATE OF SERVICE**

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants by email and first class mail on May 21, 2014.

By: /s/Randall S. Waier  
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